

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

EDUARDO HERNANDEZ §
V. § CIVIL ACTION NO. 9:07CV167
DIRECTOR, TDCJ-CID §

ORDER OF DISMISSAL

Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

ORDERED that Petitioner's motion to dismiss (docket #3) is hereby **GRANTED** and the above-styled case shall be and is hereby **DISMISSED** without prejudice from the docket of this Court. All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this the 28 day of August, 2007.



Thad Heartfield
United States District Judge